

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 23, 2008

DIVISION ONE

B199926 People (Not for Publication)
v.
Ricardo Rodriguez

The judgment is affirmed.

Weisberg, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

B205362 People (Not for Publication)
v.
Kevin Bacon

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
Hastings, J. (Assigned)

B207153 People (Not for Publication)
v.
D.G.

The order under review is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
Hastings, J. (Assigned)

DIVISION ONE (continued)

B209784 N.D. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles Department of Children & Family Services, r.p.i.)

The petition for extraordinary writ of N.D. is denied.

Mallano, P.J.

We concur: Rothschild, J.
Hastings, J. (Assigned)

B205567 People (Not for Publication)
v.
J.F.

The order of wardship is affirmed. The juvenile court is ordered to strike the portion of the January 23, 2008 minute order stating in item No. 28 that the “[m]inor may not be held in physical confinement for a period to exceed three years.”

Mallano, P.J.

We concur: Rothschild, J.
Weisberg, J. (Assigned)

B195242 Elizabeth Rene Raymond (Not for Publication)
v.
Larry Flynt et al.

We reverse the trial court's order denying judicial review and the judgment confirming the arbitration award. We remand for consideration of the Flynt defendants' legal challenges to the arbitration award. The parties are to bear their own costs on appeal.

Weisberg, J. (Assigned)

We concur: Mallano, P.J.
 Rothschild, J.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter,
Deputy Clerk.

Each of the following:

B204657 People v. Zapata
B205175 People v. Ramirez
B200601 People v. Arriaga
B203447 People v. Jones
B199424 People v. A.L.
B198329 People v. Carrillo
B204819 People v. Rivera and Avalos
B200994 People v. Bernoudy and Bland
B198279 People v. Sandoval
B210306 People v. Hayes
B200359 County of Los Angeles v. Fairmont Specialty Group
B198073 People v. Reeves
B202167 People v. Meza
B196543 People v. Lyles
B200929 People v. Fleming
B204795 In re Jacob L.
B203626 People v. Soto
B204255 In re Dayveon R.
B206979 In re Dayveon R.
B206495 DCFS v. Francisca A.
B207953 In re Dorian A.
B206210 People v. Tierra B

Argument waived, cause submitted.

B196224 Elizabeth Robinson-Williams
v.
Kevin Sayles et al.

Merits:

Argued by Robert Mann for appellant and by Kahil J. McAlpin for
respondents. Cause submitted.

DIVISION TWO(continued)

B200526 Jhn C. Shih et al.
 v.
 City of Los Angeles Safety Members Pension Fund

Merits:
Argued by Vincent H. Herron for appellants and by Mary Jo Curwen,
Deputy City Attorney for respondent. Cause submitted.

B204746 Richard Wilson et al.
 v.
 Itai Ben-Artzi, as Trustee, etc.

Merits:
Argued by Alvin M. Hall for appellants and by Robert G. Klein for
respondent. Cause submitted.

B201510 Frank Trevino
 v.
 City of Los Angeles et al.

Merits:
Argued by Diane Marchant for appellant Frank Trevino and by Gerald M.
Sato, Deputy City Attorney for appellant City of Los Angeles, et al. Cause
submitted.

B186993 Peter T. McCarthy
 v.
 Nicholas Jenkins et al.

Merits:
Argued by Peter T. McCarthy, appellant in propria persona and by Nicholas
Jenkins et al. for respondents. Cause submitted.

DIVISION TWO (continued)

B196434 Greenspan, et al.

v.

Intermix Media, etc. Inc., et al.

Merits:

Argued by Kevin Green for appellants and by Richard L. Stone and James Kramer for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Jim Guzman, Deputy Clerk.

B204550 Employers Mutual Casualty Co.

v.

Philadelphia Ideminty Ins. Co.

Merits:

Argued by Robert Morris for appellant and by Robert Closson for respondent. Cause submitted.

B199852 Housing Authority of L.A.

v.

Williams

Merits:

Argued by Charles Slyngstad for appellant and by Sharon Hughes for respondent. Cause submitted.

B200762 Nationwide Indemnity Co.

v.

American States Ins. Co.

Merits:

Argued by James Pazos for appellant and by Donald McMillan for respondents. Cause submitted.

DIVISION TWO (continued)

B201955 Gerling America Ins. Co.
 v.
 American Economy Ins. Co.

Merits:
Argued by Donald McMillan, Robert Seeds and Glenn White for
respondents. Oral argument previously waived by appellant. Cause
submitted.

Court adjourned.

B199587 Shumake
 v.
 Schwam et al.

Filed order denying petition for rehearing.

DIVISION THREE

B206643 Los Angeles County, D.C F.S. (Not for Publication)
 v.
 J.G., Sr.

The order is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION THREE (continued)

B205615 People (Not for Publication)
v.
Emmanuel Galvan

The order revoking probation is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B205990 Nguyen (Not for Publication)
v.
Nguyen

The appeal is dismissed. Each party shall bear their own costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B206425 Los Angeles County, D.C F.S. (Not for Publication)
v.
B.C.
A.C. and K.C.

The order from which Mother, A.C. and K.C. have appealed is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (continued)

B208128 Los Angeles County, D.C F.S. (Not for Publication)
 v.
 D.C., et al.

The order terminating the parents' parental rights is reversed and the cause is remanded for further proceedings, consistent with the views expressed herein, for the sole purpose of ensuring compliance with the ICWA. If, after proper ICWA inquiries and notices are made, a tribe claims that T.H. and S.I. is an Indian child, the dependency court shall proceed in this case in conformance with the provisions of the ICWA. If determinative responses from the tribes are not received within the statutory time period and no tribe claims in its response that T.H. and S.I. is an Indian child, the order terminating the parents' parental rights shall be reinstated.

Croskey, J.

We concur: Klein, P.J.
 Kitching, J.

B202731 Kadre (Not for Publication)
 v.
 White, et al.

The order from which appellant has appealed is affirmed. Costs on appeal to respondents.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

DIVISION THREE (continued)

B203914 Sciotto (Not for Publication)
v.
Sciotto

The order from which wife has appealed is affirmed and the matter is remanded for further proceedings. Costs on appeal to husband.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

[illegible]

The order denying Laura Louise Norene's petition for determine heirship is affirmed. Appellant Laura Louise Norene is to pay all costs on appeal.

Aldrich, J.

I concur: Croskey, Acting P.J.
I dissent: Kitching, J. (Opinion)

DIVISION FOUR

B201191 Martinez (Not for Publication)
v.
Juarez

The judgment is affirmed. Martinez is awarded his costs on appeal.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

DIVISION FOUR (continued)

B204811 People (Not for Publication)
v.
Camacho

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

B203189 People (Not for Publication)
v.
Orrostieta

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

B206634 People (Not for Publication)
v.
Pineda

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Willhite, J.

DIVISION FIVE

B206487 People (Not for Publication)
v.
Randall Holden

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

B204217 Christine Dorman (Not for Publication)
v.
State of California Department of Justice et al.,

The judgment is favor of defendant and respondent State of California Department of Justice is affirmed. The State of California Department of Justice is awarded its costs on appeal from plaintiff and appellant Christine Dorman. The judgment and the order granting summary adjudication in favor of defendant and respondent City of La Vern are reversed. The trial court is directed to enter a new and different order granting summary adjudication of the cause of action for intentional infliction of emotional distress, and otherwise, denying the City's motion for summary judgment. Christine Dorman is awarded her costs incurred in connection with the appeal from the judgment in favor on the City from the City of La Verne.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION FIVE (continued)

B198585 Steven Levy (Not for Publication)
 v.
 Hanjin International Corporation et al.,

The judgment is affirmed. Respondents Raymond Manuel Mata, Ana Victoria Estrada, and Hanjin International corporation, individually and doing business as Wilshire Grand Hotel, are awarded their costs on appeal.

Kriegler, J.

We concur: Armstrong, Acting P.J.
 Mosk, J.

DIVISION SIX

B206886 People (Not for Publication)
 v.
 Dickenson

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
 Perren, J.

B209350 People v. Cervantes
B209352 People v. Cervantes

Filed order consolidating above captioned appeals.

DIVISION EIGHT

B197997 In re Jorge Recinos (Not for Publication)
 On
 Habeas Corpus

The petition for writ of habeas corpus is granted. The case is remanded to the trial court. The trial court shall hold a sentencing hearing. Upon the issuance of remittitur, the clerk of this court is directed to forward a copy of this opinion to the State Bar pursuant to Business and Professions Code section 6086.7.

Cooper, P.J.

We concur: Rubin, J.
 Flier, J.

B195738 Tarek Bourgi
 v.
 West Covina Motors, Inc., et al.,

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B209263 Los Angeles County D.C.F.S.
B210724 v.
 J.N.

Filed order consolidating above captioned appeals.

B195597 People
 v.
 Arreola et al.

Filed order modifying opinion. Arreola's Petition for rehearing is denied. (No change in the judgment)